

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

ARTHUR STEPHEN HURD, as Personal)	Civil Action No. 2:16-cv-2407-MBS
Representative of the Estate of Cynthia)	
Graham Hurd,)	
)	
Plaintiffs,)	PETITION TO APPROVE
)	SETTLEMENT FOR
v.)	SURVIVAL AND WRONGFUL
)	DEATH
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
)	
)	
ARTHUR STEPHEN HURD,)	Civil Action No. 2:16-cv-2409-MBS
)	
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
)	

The duly appointed Personal Representative of the Estate of Cynthia Graham Hurd petitions the Court pursuant to the Federal Tort Claim Act (FTCA) and S.C. Code Ann. § 15-51-42 for approval of the proposed settlement of a wrongful death and survival action, and would show unto this Honorable Court as follows:

1. The Personal Representative has reached a proposed settlement with Defendant for wrongful death and survival as set forth in this Petition. That proposed settlement is memorialized

in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached as **Exhibit A** hereto.

2. Cynthia Graham Hurd (the “Decedent”) was a victim of the Mother Emanuel murder and died as a result of gunshot wounds on or about June 17, 2015, in Charleston, South Carolina, and brought claims against Defendant as more fully set forth in the Complaint and Amended Complaint on file herein.

3. Defendant denies any liability with respect to the claims and death of the Decedent but has negotiated the settlement herein as a reasonable compromise of disputed claims.

4. Defendant is not insured for claims such as that presented by the Decedent but allows for such claim under the FTCA.

5. The terms of the proposed settlement include the payment of \$7,500,000.00 to Arthur Stephen Hurd as Personal Representative of the Estate of Cynthia Graham Hurd for the survival and wrongful death actions.

6. The statutory beneficiary of the Decedent under the wrongful death statute are Arthur Stephen Hurd, surviving husband.

7. The Decedent had no Will, and the heir at law of the Decedent is also Arthur Stephen Hurd, surviving husband.

8. All creditors of the Estate have been paid in full prior to the filing of the within Petition.

9. The Personal Representative set forth below has retained counsel listed below and agreed to pay the sum of 25% of the amount recovered for attorney’s fees and \$65,437.67 for costs as set forth on **Exhibit B** attached hereto.

10. The Petitioner believes the settlement is in the best interest of the Estate and beneficiary.

WHEREFORE, the duly authorized Personal Representative of the Estate of Cynthia Graham Hurd petitions this Court as follows:

1. to approve the proposed settlement with Defendant in the amount of \$7,500,000.00, and subject to all terms and conditions set forth in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached hereto as **Exhibit A**, payable to Arthur Stephen Hurd, as Personal Representative of the Estate of Cynthia Graham Hurd for the survival and wrongful death actions, as set forth in this Petition and to execute such further documents as necessary to effectuate settlement;

2. to relieve and discharge Defendant from further liability and all obligations or legal duties to see to the appropriate or proper distribution of the settlement proceeds in accordance the FTCA and with S.C. Code Ann. §15-51-42(E);

3. for an Order providing that, upon payment to the Personal Representative, the obligations of Defendant be fully and completely released and finally and forever discharged from any further responsibility in connection with the death of Cynthia Graham Hurd; and

4. for an order that attorneys' fees and disbursements as set forth in **Exhibit B** be approved and that the settlement proceeds be distributed as set forth on **Exhibit B**.

RESPECTFULLY SUBMITTED,

By: s/ W. Mullins McLeod, Jr.

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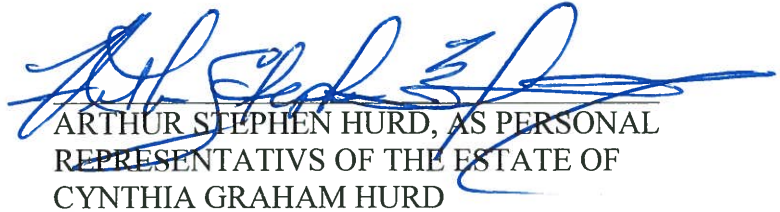
Charleston, South Carolina

October 28, 2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

VERIFICATION

PERSONALLY APPEARED BEFORE ME, Arthur Stephen Hurd, in his capacity as Personal Representative of the Estate of Cynthia Graham Hurd, who being duly sworn, deposes and says that he is the Petitioner in the foregoing action; that he has read the Petition to Approve Settlement for Survival and Wrongful Death, and the same is true and correct of his own knowledge, save and except those matters and things therein alleged on information and belief; and, as to those matters and things, he believes the same to be true and correct.


ARTHUR STEPHEN HURD, AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
CYNTHIA GRAHAM HURD

SWORN TO and subscribed before me this
26 day of October, 2021.



Notary Public for South Carolina

My Commission Expires: 10/10/23

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

ARTHUR STEPHEN HURD, as Personal)	Civil Action No. 2:16-cv-2356-MBS
Representative of the Estate of Cynthia)	
Graham Hurd,)	
)	
Plaintiffs,)	CERTIFICATION OF
)	LEGAL COUNSEL
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

I, Mullins McLeod, attorney for Claimant Arthur Stephen Hurd as Personal Representative of the Estate of Cynthia Graham Hurd, certifies as follows:

1. I have read the Petition to Approve Settlement for Survival and Wrongful Death.
2. I am of the opinion that the settlement is fair and reasonable and in the best interest of the wrongful death statutory beneficiary and the Estate of Cynthia Graham Hurd.

By: s/ W. Mullins McLeod, Jr.

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